

Contractor Performance Information



Guiding Principles

- The primary purpose of past performance evaluations is to ensure that accurate data on contractor performance is current and available for use in source selections.
- A past performance evaluation report provides a record of a contractor's performance, both positive and negative, on a given contract during a specified period of time.
- The quality of the narrative component supporting the past performance information evaluation is critical.
- If the evaluator takes the time to prepare an accurate and complete report, the evaluator helps ensure better quality in the products and services DOE buys now and those DOE plans to buy in the future.

References

Federal Acquisition Regulation (FAR) Subparts

- 8.4 Federal Supply Schedules – 8.406-7 Contractor performance evaluation and 8.406-8 Reporting
- 9.1 Responsible Prospective Contractors – 9.104 Standards and 9.105 Procedures
- 9.4 Debarment, Suspension and Ineligibility – 9.406 Debarment and 9.407 Suspension
- 12.2 Special Requirements for the Acquisition of Commercial Items - 12.206 Use of past performance
- 12.4 Unique Requirements Regarding Terms and Conditions for Commercial Items – 12.403 Termination
- 13.1 Procedures – 13.106-2 Evaluation of quotations or offers
- 15.3 Source Selection - 15.305 Proposal evaluation
- 15.4 Contract Pricing – 15.407-1 Defective cost or pricing data
- 36.2 Special Aspects of Contracting for Construction - 36.201 Evaluation of contractor performance
- 36.6 Architect-Engineer Services - 36.603 Collecting data and appraising firms qualifications and 36.604 Performance evaluation
- 42.15 Contractor Performance Information
- 49.4 Termination for Default – 49.401-8 Reporting information

DEAR and Acquisition Guide

- 936.602-70 DOE selection criteria
- 970.1706-1 Award, renewal and extension
- 970.4402-2 General requirements
- Chapter 15.1 Source Selection Guide
- Chapter 15.3 Establishing Evaluation Criteria
- Chapter 42.16 Reporting Other Contractor Information into Federal Awardee Performance and Integrity Information System
- Chapter 70.9 Contract Options: Evaluating Contractor Past Performance

This chapter has five sections. Section I provides an overview of DOE’s policy and procedures on evaluating contractor performance information. Section II describes DOE’s application of the Contractor Performance Assessment Reporting System (CPARS). Section III addresses DOE’s internal management controls and the compliance assessments of contractor performance information. Section IV are the Best Practices to address contractor performance information. Section V has points of contact.

This update revises the chapter to incorporate guidance from the Office of Federal Procurement Policy (OFPP) memorandum, dated January 21, 2011, entitled “Improving the Use of Contractor Performance Information Assessments: Summary of the Office of Federal Procurement Policy’s review, and Strategies for Improvement.” The revised section is Section II – Parts C and I.

The December 2010 update made revisions to the CPARS guidance and includes incorporating Federal Acquisition Regulation (FAR) changes through Federal Acquisition Circular (FAC) 2005-46. The references were updated. The revised sections were Section I; Section II -- Parts A, B, F, G, K, and L; Section III; and Section V. Also, a new attachment was added - Attachment D.

Section I. OVERVIEW

The Federal Acquisition Regulation (FAR) Part 42.15 – Contractor Performance Information requires that contractor performance information be collected and maintained. This information is used to evaluate past performance of an offeror as described in a solicitation in accordance with FAR Part 15. The Acquisition Guide has two chapters addressing the implementation of Federal Acquisition Regulation (FAR) Part 42.15 – Contractor Performance Information. This chapter sets forth policy, assigns roles and responsibilities, and provides procedures for evaluating contractor performance as required by FAR Part 42.15. Acquisition Guide Chapter 42.16, Reporting Other Contractor Information into Federal Awardee Performance and Integrity Information System, addresses the data entry procedures and management for reporting other contracting information into the Federal Awardee Performance and Integrity Information System (FAPIS) module in CPARS.

A. OFPP Guidance

The Federal Acquisition Streamlining Act of 1994, at section 1091, amended the Office of Federal Procurement Policy (OFPP) Act to specify that past performance is a relevant factor to consider in contractor selection. It directs OFPP to issue guidance on the use of past performance in contractor source selections.

In the July 29, 2009, the OFPP memorandum on *Improving the Use of Contractor Performance Information*, describes new requirements in the FAR to strengthen the use of contractor performance information, outlines associated management responsibilities that agency Chief Acquisition Officers (CAOs) and Senior Procurement Executives (SPEs) must take to support robust implementation of these practices, and establishes the review process that OFPP will use to further improve contractor performance information. A copy of this memorandum is available at http://www.whitehouse.gov/omb/procurement_index_memo/.

OFPP will be issuing a guide entitled *Contractor Assessment in the Acquisition Process*. This Guide will contain useful techniques for using contractor performance information. When the OFPP Guide is issued, DOE guidance, including this Guide Chapter, will be updated as necessary.

B. General

As of October 2008, Contractor Performance Assessment Reporting System (CPARS) is the mandatory Department of Energy (DOE) system used to report contractor performance into Past Performance Information Retrieval System (PPIRS). PPIRS is the official Government source to retrieve contractor performance information.

The primary purpose of past performance evaluations is to ensure the contractor is held accountable for its performance and that accurate data on contractor performance is current and available for use in source selections. Performance evaluations will be used as a resource in awarding best value contracts and orders to contractors that consistently provide quality, on-time products and services that conform to contractual requirements. Evaluations can be used to effectively communicate a contractor's strengths and weaknesses to source selection officials.

DOE uses CPARS for reporting and collecting past performance evaluations, as required by the FAR. CPARS is an automated contractor performance information database that feeds the evaluations to the government-wide PPIRS, which is the single, authorized application to retrieve contractor performance information.

Contractor performance on a classified contract is not exempt from evaluation. Contractor performance evaluation on a classified program will be managed in accordance with the records management procedures in the DOE Information Security Manual (DOE M 470.4-A or its successor version). Copies of classified contractor performance evaluations will be maintained and distributed

in accordance with the DOE Information Security Manual. ***Evaluations of classified contracts shall not be entered into CPARS or PPIRS.***

Through PPIRS, the contractor performance information can be retrieved by the contracting activity for use in the source selection process to support making an award based on a best value.

Government access to PPIRS is restricted to those individuals who are working on source selections. Each contracting activity shall have a PPIRS Access Authorization Agent who controls and provides government access. A contractor can obtain access to its performance information in PPIRS through the Central Contractor Registration process. To obtain access, a contractor must enter a Marketing Partner Identification Number (MPIN) in its profile in the Central Contractor Registration system (<http://www.ccr.gov/>). The contractor can use this number to access its reports in PPIRS. The contractor will need to know its DUNS in order to update contact information in its CCR profile. To access information in PPIRS, a contractor logs in using their DUNS and MPIN numbers.

Section II. CPARS Application

CPARS is a web-enabled application that collects and manages the library of automated evaluations and is accessible from <https://www.cpars.csd.disa.mil>. CPARS facilitates communication and cooperation between the Federal Government and industry. It provides contractor performance information to include Government ratings and narratives, as well as industry narratives.

Irrespective of the type or complexity of the contractor performance appraisal systems (e.g., performance based acquisition reviews, performance evaluation and measurement reports, contract management plans, award fee determinations, etc.) that are used by DOE program elements, contractor performance evaluations required by FAR 42.15 must be entered into CPARS. MA-60 is available to assist in creating a crosswalk between the other contractor performance appraisal system ratings to CPARS ratings.

A. Roles and Responsibilities in CPARS

- **Contract Data Entry (Optional role) (This is the only role that a support contractor can perform.)**
 - Manually register contract information for specific contract/order within 30 calendar days after award, if authorized by the contracting activity.
 - Run evaluation status reports.
 - View/print basic contract information.

- **Assessing Official Representative (AOR) (Federal Acquisition Certification (FAC) Certified Contracting Officer Representative)** (AOR is recommended by the Program Manager or designee.)
 - Take applicable CPARS module web based training to include the Quality and Narrative Writing web based training.
 - Manually register contract information for specific contracts/orders within 30 calendar days after award (if determined by the contracting activity that this responsibility belongs to an AOR). If the Focal Point has auto registered the contract/order, then the AOR does not need to register the contract/order.
 - Initiate evaluations (only an AOR responsibility) to include the initial report, the interim report, if applicable and the final report.
 - To ensure quality, accurate and complete evaluations, prepare the evaluations using the CPAR Quality Checklist (Attachment A) prior to sending to the Assessing Official.
 - Update incomplete evaluations for specific contracts.
 - Delete incomplete evaluations for specific contracts.
 - View/print evaluations.
 - Run evaluation status reports.
 - Run contract status reports.
- **Assessing Official (AO) (Contracting Officer or Contract Specialist)**
 - Ensures the AOR and the Contractor are knowledgeable about CPARS and the available on-line training.
 - Manually register contract information for specific contracts/orders within 30 calendar days after award (if determined by the contracting activity that this responsibility belongs to an AO). If the Focal Point has auto registered the contract/order, then the AO does not need to register the contract/order.
 - Update incomplete evaluations for specific contracts.
 - Delete incomplete evaluations for specific contracts.
 - View/print evaluations.
 - To ensure quality, accurate and complete evaluations, review all evaluations using the CPAR Quality Checklist (Attachment A) prior to sending to the contractor.
 - Forward the evaluation to the Contractor Representative.
 - Run evaluation status reports.
 - Run contract status reports.
 - Review contractor comments for assigned contracts.
 - Modify evaluation ratings, for specific contracts after reviewing contractor comments, if required.
 - Finalize each evaluation for assigned contracts.
- **Contractor Representative (Contractor/Vendor)**
 - Review ratings and input any contractor comments for that evaluation within 30 calendar days.

- View completed evaluations for assigned contracts.
- View status reports for assigned evaluations.
- View status reports for assigned contracts.

- **Senior Contractor Representative (Contractor/Vendor – Optional)**
 - View completed evaluations for assigned contracts.
 - View contract status report for assigned contracts.
 - View evaluation status report for assigned contracts.
 - View rating metric report for assigned contracts.
 - View consolidated report (in ACASS/CCASS* only).
[*Architect-Engineer Contract Administration Support Systems (ACASS)/
Construction Contractor Appraisal Support System (CCASS)]

- **Reviewing Official (One level above Assessing Official)**
 - View/print evaluations.
 - Ensure that the evaluation is a fair, accurate and supported by objective evidence of the Contractor's performance for the specific contract/order and performance period.
 - Ensure that the AOR is preparing and submitting quality, accurate and complete evaluations in accordance with the CPAR Quality Checklist (Attachment A).
 - Ensure that the AO is reviewing the evaluations for quality, accurate and complete evaluations in accordance with the CPAR Quality Checklist (Attachment A).
 - Must acknowledge consideration of any significant discrepancies between the AO's evaluation and the Contractor's remarks.
 - Resolve disagreements on any evaluation.
 - View evaluation status report.
 - View contract status report.
 - Required to comment and close evaluation.

- **Focal Point (CPARS point of contact at contracting activities)**
 - Auto register contract/order within 30 calendar days of award. Or, otherwise ensures the action is manually registered, e.g. by Focal Point, AOR or AO.
 - Ensure all users of CPARS are properly trained.
 - Authorize access to evaluations within own contracting activity (source selection access not included).
 - Authorize access to Contractor Representative.
 - Responsible for CPARS account management and maintenance (e.g. access, changes).
 - Control and monitoring of CPARs, including the status of overdue evaluations to include notifying the Agency Point of Contact of reports more than 30 calendar days overdue.
 - View status report for assigned evaluations.

- View contract status report for assigned contracts.
- View rating metrics for assigned evaluations.
- View processing times report for assigned evaluations.
- View/print evaluations.
- Input a completed evaluation.
- Delete a registered contract.
- Establish local process to monitor the integrity (e.g., quality) of the evaluation.

- **Agency Point of Contact (Agency Coordinator)**
 (On-line CPARS information will title this position as the Command Point of Contact)
 - Authorize access to Senior Agency Official (*Designated representative or Head of the Contracting Activity*).
 - View evaluation status report within agency.
 - View contract status report within agency.
 - View rating metric report within agency.

- **Senior Agency Official (Designated representative or Head of the Contracting Activity)** (On-line CPARS information will title this position as the Senior Command Official)
 - View evaluation status report within agency.
 - View contract status report within agency.
 - View rating metric report within agency.
 - View processing times report within agency.

- **Program Offices**
 - The Program Manager, or designee, shall recommend a FAC certified COR* (AOR) to be the Assessing Official Representative. This representative shall be trained in the use of the CPARS and perform the related responsibilities to include initiating and maintaining the evaluations. AORs typically are assigned from the technical, functional, or quality assurance areas.
 - The Program Manager, or designee, shall ensure that other relevant personnel communicate with the AOR regarding contractor performance. The personnel can provide technical information about the contractor's performance to the AOR who can include this information in the evaluation.

* For information on a FAC certified COR, see DEAR 901.603-70 Appointment of Contracting Officers and Contracting Officer's Representatives and the Department of Energy Orders (DOE O) 541.1B Appointment of Contracting Officers and Contracting Officer Representatives and DOE O 361.1B Acquisition Career Management Program.

B. Reporting Criteria and Responsibility for Completing Evaluations

In order to ensure consistent, comprehensive, and meaningful contractor past performance information, the information shall be collected for all contract actions that require reporting into the Federal Procurement Data System-Next Generation (FPDS-NG) in accordance with FAR Subpart 4.6 – Contract Reporting and based on FAR 42.1502 thresholds (see below). It involves all contracts to include contracts for indefinite delivery, Management and Operating (M&O), national laboratories, major sites and facilities; Federal Supply Schedule orders, orders placed using Basic Ordering Agreements or Blanket Purchase Agreements; and task orders and delivery orders.

A CPAR evaluation report is separate and distinct from a FAPIIS report. When a contract action requires an evaluation report in accordance with this Chapter and a FAPIIS report in accordance with Chapter 42.16, the AOR or the AO is responsible to ensure the evaluation includes the relevant other contractor information in the evaluation.

➤ **Thresholds**

For contracts awarded or orders issued **before October 1, 2010**, the thresholds for preparing past performance evaluations are as follows:

- Supplies (products) and services > \$100,000 (simplified acquisition threshold)
- Construction > \$550,000 (or any amount in the case of a default termination)
- Architect-Engineer (A&E) services > \$30,000 (or any amount in the case of a default termination)
- Other contractor information – after issuance of a final determination by a contracting officer that a contractor:
 - Has submitted defective cost or pricing data, or
 - Has been issued a termination for cause or default notice, or
 - Has been issued any subsequent conversions or withdrawals for a termination for cause or default notice.

For contracts awarded or orders issued on or **after October 1, 2010**, the thresholds for preparing past performance evaluations as stated at FAR 42.1502 are as follows:

- Supplies (products) and services > \$150,000 (simplified acquisition threshold)
- Construction > \$650,000 (or any amount in the case of a default termination)
- Architect-Engineer (A&E) services > \$30,000 (or any amount in the case of a default termination)
- Other contractor information – after issuance of a final determination by a contracting officer that a contractor:
 - Has submitted defective cost or pricing data, or

- Has been issued a termination for cause or default notice, or
- Has been issued any subsequent conversions or withdrawals for a termination for cause or default notice.

In addition, when the contract includes the clause 52.219-9, Small Business Subcontracting Plan, the evaluation shall include an evaluation of the contractor's performance against, and efforts to achieve the goals identified in the plan.

A past performance evaluation report provides a record of a contractor's performance, both positive and negative, on a given contract during a specified period of time. Each evaluation should use supportable program and contract management data and should be based on objective data, to the maximum extent practicable or subjective data, when objective data is not available. When a contract or order includes appropriated funds and non-appropriated funds, the contracting activity shall evaluate the contractor's performance as a whole and submit an evaluation report in accordance with the procedures in this chapter. Examples of supportable program and contract management data include cost performance reports, customer comments, quality reviews, technical interchange meetings, financial solvency assessments, construction/production management reviews, subcontracting reports, contractor operations reviews, functional performance evaluations, earned contract incentives, relationships with subcontractors and/or the government, resolution of labor issues, and timely payment to subcontractors.

To improve efficiency in preparing the evaluation report, it is recommended that the evaluation be completed together with other reviews e.g., performance based acquisition reviews, performance evaluation and measurement reports, contract management plans, award fee determinations, major program events, and quality assurance surveillance records.

C. Types of Contract Actions to Report in CPARS and Reports to Prioritize

➤ Types of Contract Actions to Report

The following actions shall be reported to CPARS in accordance with the thresholds prescribed in paragraph B of this Guide Chapter.

- **Definitive contracts* to include M&O and non-M&O major site and facility contracts** (**Definitive contract is any contract that must be reported to FPDS-NG*):
 - Individual evaluation for the contract.
- **Indefinite-Delivery-Indefinite-Quantity contracts, to include Energy Savings Performance Contracts:**
 - For multi-agency contract(s) or Governmentwide acquisition contract(s), prepare an individual evaluation for each order that exceeds the simplified acquisition

threshold. If orders are similar in scope, the contracting officer may consider consolidating the evaluations. Refer to FAR 42.1502 (c).

- For single-agency task order and delivery order contract(s), the contracting officer may require evaluations for each order in excess of the simplified acquisition threshold when such evaluations would produce more useful past performance information for source selection officials than the overall contract evaluation (e.g., when the scope of the basic contracts is very broad and the nature of individual orders could be significantly different). Refer to FAR 42.1502 (d).

- **Blanket Purchase Agreements and Basic Ordering Agreements:**

- Prepare an individual evaluation for each order in excess of the simplified acquisition threshold. Consolidation of the orders is appropriate for the evaluation if the orders are similar in scope and are issued during the 12 month rating period.
- If there is only one contractor or vendor and the orders are similar in scope, one evaluation for the agreement covering all the orders issued during the 12 month rating period under the agreement is acceptable.

- **Federal Supply Schedules orders:**

- Requiring activity or ordering agency prepares an evaluation for each order that exceeds the simplified acquisition threshold.

- **Joint Ventures:**

- Single evaluation is prepared if there is a unique DUNS number.
- Multiple identical evaluations are prepared if there are separate DUNS numbers.

- **Undefinitized Contract Actions (UCAs):**

- Prior to definitization
 - Address performance beginning with date UCA is issued
 - Address contractor's ability to remain within UCA cost limitations
- Following definitization
 - Address contractor's efforts in promoting contract definitization
 - If definitized as cost type contract – continue to address cost control
 - If definitized as firm-fixed price contract – only address cost control efforts prior to definitization

- **Small Business Subcontracting Plan(s):**

- When the contract includes the clause 52.219-9, Small Business Subcontracting Plan, the evaluation shall include an evaluation of the contractor's performance against, and efforts to achieve the goals identified in the plan.
- When placing a task order or delivery order against a single-agency contract, the evaluation need not consider this subcontracting requirement, unless the

contracting officer deems it appropriate. However, the evaluation of the contractor's performance against, and efforts to achieve the goals identified in the plan, is required at the contract level.

- **Construction Contract(s) or Architect-Engineer Services Contract(s):**
 - Report the evaluation of contractor performance for construction contracts or architect-engineer services contracts into Construction Contractor Appraisal Support System (CCASS) or to Architect-Engineer Contract Administration Support Systems (ACASS), respectively.

➤ **Reports to Prioritize**

In addition, to ensuring all applicable contracts and orders are registered and quality reports are submitted and completed in a timely manner, the AOR and the AO should prioritize performance evaluation reports for the following contracts and orders:

- High-risk contract types, such as cost-reimbursement or time and materials.
- Complex acquisitions, such as information technology support services, technical support services, operations support services, or site security services.
- High dollar value or major acquisitions, regardless of contract type, such as M&O, environmental remediation, or other non M&O major site facility.

D. Contract Performance Modules and Handling Information

The CPARS process is designed with a series of checks-and-balances to facilitate the objective and consistent evaluation of contractor performance. Both Government and contractor perspectives are captured. The opportunity to review and/or comment on an evaluation by the designated Government and contractor personnel together makes a complete evaluation. The application sends out automated email notifications on user access and reminders of evaluations to be entered and reviewed during each stage of the evaluation process. Please refer to the CPARS User Guide for a listing of all the email notifications that are offered. The User Guide can be found on the CPARS web site.

This application consists of three different contract performance modules that are designed for UNCLASSIFIED information and use only:

- Contractor Performance Assessment Reporting System (CPARS): Used to document contractor delivery and performance on systems and non-systems contracts including services, information technology, major systems, and operations support (spares and repair parts for existing systems, commercial off-the-shelf or non-developmental).

- Architect-Engineer Contract Administration Support Systems (ACASS): Used to document contractor performance on Architect-Engineer contracts.
- Construction Contractor Appraisal Support System (CCASS): Used to document contractor performance on construction contracts.

All CPARS, ACASS, and CCASS information is treated as “For Official Use Only/Source Selection Information” in accordance with FAR 2.101 and 3.104. It is protected by the Privacy Act and is not releasable under the Freedom of Information Act. Performance evaluations may be withheld from public disclosure under the Freedom of Information Act exemptions.

The Government personnel, who are granted access to the CPARS, are responsible for ensuring that a CPAR evaluation is appropriately marked and handled. All CPAR forms, attachments and working papers must be marked “FOR OFFICIAL USE ONLY/SOURCE SELECTION INFORMATION - SEE FAR 2.101 AND 3.104” according to Freedom of Information Act Program, FAR 3.104, and 41 USC Sect. 423.

As CPARS contains Source Selection/Business Sensitive performance information, it is prohibited to transmit a CPAR evaluation as an attachment to an email. A CPAR evaluation may also contain information that is proprietary to the contractor. Information contained in the CPAR evaluation, such as trade secrets and protected commercial or financial data obtained from the contractor in confidence, must be protected from unauthorized disclosure. To ensure that future readers of the evaluations in the PPIRS are informed and will protect the information as required, the Assessing Official and the Reviewing Official shall annotate on the CPAR if it contains material that is proprietary, a trade secret, etc.

Due to the sensitive nature of a CPAR evaluation, disclosure of CPAR data to contractors other than the contractor that is the subject of the report, or other entities outside the Government, is not authorized. Disclosure of CPAR data to advisory and assistance support contractors other than the contractor that is the subject of the report is strictly prohibited. A contractor will be granted access to its CPAR evaluation maintained in the CPARS by the activity Focal Point.

E. Categories of Business Sectors

Each evaluation must identify the applicable business sector for the supply or service. The Federal Supply Code (FSC) will determine the applicable business sector. In the Federal Procurement Data System-Next Generation (FPDS-NG), the code is called the Product Service Code (PSC).

FSC MAPPING: CPARS receives award information from FPDS-NG and makes it available in the Focal Point's Auto Register feature. CPARS uses the FSC/PSC code to map to the correct CPARS module -- CPARS, ACASS, or CCASS.

Here is how the FSC/PSC code for procurement is used to map to the CPARS modules. The FSC/PSC is mapped to a business sector which determines the type of assessment form that is filled out in CPARS. The FSC mapping is fairly straight forward, however, there are a few exceptions as follows:

- For code "A", Research and Development, the mapping will be to either a service form or a system form. Note when a contract is registered in CPARS (this doesn't apply to ACASS and CCASS) the user can still change the business sector if needed from a Systems to a Services (or vice versa) with no issues. However, once they "Initiate a CPAR," the form is created (e.g. Systems or Service) so no further change is possible. Unless, the user notices the CPAR evaluation is the wrong form and decides to delete the CPAR evaluation and start over again.
- For code "B", Special Studies and Analyses, the mapping will be to CPARS, except for the following which will be mapped to ACASS:
 - B510 Study/Environmental Assessments
 - B517 Geological Studies
 - B518 Geophysical Assessments
 - B526 Oceanological Studies
 - B532 Soil Studies
 - B543 Energy Studies
- For code "C", Architect and Engineering Services, the mapping will be to ACASS, except for C124 - Utilities which will be mapped to CPARS.
- For code "F", Natural Resources and Conservation Services, the mapping will be to CPARS, except for the following which will be mapped to ACASS:
 - F109 Leaking Underground Storage Tank Support Services
 - F110 Dev of Environ Impact Statements & Assessments
 - F111 Surveys & Tech Support for Multiple Pollutants
- For all "Z" codes, Maintenance, Repair or Alteration of Real Property, the mapping is to CPARS, but the North American Industry Classification System (NAICS) will also be used to determine whether an action should be considered Construction and entered in the CCASS module. For all the Z codes, if the corresponding NAICS begins with 23XXXX, then the award/order becomes available in CCASS when it exceeds \$550,000 before October 1, 2010 **or** when it exceeds \$650,000 on or after October 1, 2010. If the NAICS is other than 23XXXX, the award/order is a service and it becomes available in CPARS when it exceeds \$100,000 before October 1, 2010 **or** when it exceeds \$150,000 on or after October 1, 2010.

CPARS forms for services or systems: There are only two forms used in CPARS - services or systems. A system sector/sub-element form is more technical than a service form. The system form has several sub-elements under the technical and management elements.

The rating elements on a service form (Information Technology and Operations Support business sectors also use this form) include:

- Quality of Product or Service
- Schedule
- Cost Control
- Business Relations
- Management of Key Personnel
- Utilization of Small Business
- Other Areas

The rating elements on a system form include:

- Technical (which includes additional sub-elements for product performance, systems engineering, software engineering, logistics support/sustainment, product assurance, and other technical performance)
- Schedule
- Cost Control
- Management (which includes additional sub-elements; management responsiveness, subcontract management, and program and other management)
- Utilization of Small Business
- Other Areas

Not all of the ratings apply to every contract and can be not applicable when necessary (e.g. Cost Control is not rated for Firm Fixed Price contracts). Each form includes "Other Areas," which are free text and allows rating unique elements not already covered.

The listing of the business sectors is as follows:

Based on DOE's FPDS-NG reporting, the facility management contracts which include M&Os and non-M&Os major site and facility contracts are under different Federal Supply Codes (FSC)/Product Service Code (PSC). Most of these contracts will be under the services business sector. A few of these contracts will be under the systems business sector. See FSC Mapping and CPARS forms for services or systems above for a detailed explanation.

CPARS

➤ **Services –**

- Professional/technical/management support
- Healthcare
- Repair and overhaul
- Installation maintenance
- Transportation

➤ **Information Technology – in accordance with FAR 2.101 definition**

- Software
- Hardware
- Telecommunications – includes equipment and services

➤ **Operations Support – spares and repair parts for existing systems, commercial off the shelf or non-developmental, i.e., commodities, supplies, etc.**

- Spares
- Repair parts
- Electronics
- Ammunition
- Mechanical
- Electrical
- Structural
- Base supplies
- Fuels
- Troop support – for purchasing clothing, uniforms, protective gear, food/subsistence, medical supplies and equipment, medicines, and diagnostic equipment

➤ **Systems - products that require a significant amount of new engineering or development work**

- Aircraft
- Shipbuilding, repair and overhaul
- Space
- Ordnance
- Ground vehicles
- Training systems
- Sub-systems
- Other systems – when the list above does not apply

CCASS**➤ Construction Services****ACASS****➤ Architect-Engineer Services****F. Register a Contract**

Registering contracts in CPARS is the process of entering basic contract award data and is required prior to initiating an evaluation. Subject to the applicable reporting thresholds, the contract/order must be registered within 30 calendar days after contract/order award. A contract may be registered in the Auto Register Contract feature or manually. For specific guidance on how to register a contract, refer to the applicable DOD User Manual for CPARS or ACCASS/CCASS, October 2010 versions, or the latest version. A brief overview is provided below.

➤ Auto Register Contract Feature (Focal Point)

Effective October 2010, the Auto Register Contracts feature is available to Civilian Agencies. The Auto Register Contracts feature provides the Focal Point the ability to produce and review a list of CPARS-eligible contracts. Auto registering a contract is the only function that the Focal Point may perform in the automated workflow process. To auto register a contract/order, the user must be logged into the system as a Focal Point and the Focal Point Main Menu must be displayed. From the list of eligible contracts, the Focal Point is able to quickly auto register individual contracts/orders in CPARS.

In February 2007, CPARS established an interface with the Federal Procurement Data System-Next Generation (FPDS-NG). This data feed is the basis for the Auto Register Contracts feature. The most recent three years of contract award information is available.

➤ Manually Register Contract (AOR, AO or Focal Point)

If the contract/order is not auto registered, then the contract must be manually registered by either the AOR, AO or Focal Point within 30 days from award by completing the basic contract information in Blocks 1 to 14.

G. Types of Evaluation Reports and Reporting Frequency

See Section A. Roles and Responsibilities for an explanation of the roles mentioned below.

Before any report can be entered the contract/order must be registered within 30 calendar days of award, see Section F. Register a Contract for this procedure.

- **Initial Report** (For CPARS module only)
 - Required if period of performance is greater than 365 calendar days (the initial report may be the first interim report and reflect at least the first 180 calendar days of performance) – reporting is done on an annual basis based on the performance period.
 - Not required if period of performance is less than 365 calendar days – see final report below (write the final report).
 - No more than 12 months of actual performance.
 - Evaluation period commences at contract award.
- **Interim (Intermediate) Reports**
 - For all modules:
 - Complete with other reviews (e.g., Performance Evaluation and Measurement Reports, Contract Management Plans, Option Exercise, Award Fee Determinations, and Program Milestones).
 - Assessing Official Representative writes the evaluation and sends it to the Assessing Official.
 - Assessing Official reviews and sends the report to the contractor.
 - Required upon transfer of program management responsibility.
 - Required upon transfer of contract, blanket purchase agreement, or basic ordering agreement order to a different contracting activity.
 - Required upon a significant change in contractor performance.
 - Recommended prior to transfer of Assessing Official duties to another individual to ensure continuity.
 - For CPARS module, an interim report is required every 12 months based on contract award date or required as stated above for all modules. Not cumulative. Assessment is done for the performance occurring since last evaluation period. Completion of the report is due 120 calendar days after the end of the assessment period.
 - For CCASS module, an interim report is required when overall performance is unsatisfactory, at Government's discretion, or required as stated above for all modules. The report is to be completed within 120 calendar days from the date the interim report is started. Note: A subsequent interim report replaces the prior

interim. All information from the prior report is deleted from the module. Be sure to include in subsequent report(s) any information from previous report that is necessary to support the evaluation.

- For ACASS module, an interim report is required when overall performance is unsatisfactory, at Government's discretion, or required as stated above for all modules. The report is to be completed within 120 calendar days from the date the interim report is started. Note: A subsequent interim report replaces the prior interim report. All information from the prior report is deleted from the module. Be sure to include in subsequent report(s) any information from previous report that is necessary to support the evaluation.

➤ **Out-of-Cycle Report**

- Written, if there is significant change in performance that alters the evaluation in one or more evaluation areas, at
 - Government's discretion; or
 - Contractor's request.
- Address only those areas that have changed.
- No more than 1 out-of-cycle report may be completed per 12 month period of performance.
- Out-of-cycle evaluation does not alter the annual reporting requirement.

➤ **Final Report**

- For all modules:
 - Assessing Official Representative writes the evaluation and sends it to the Assessing Official.
 - Assessing Official reviews and sends the report to the contractor.
 - Required if there is a contract termination.
 - For CPARS module, a final report is due within 120 calendar days after the end of the evaluation period.
 - For CCASS, a final report is due within 120 calendar days from contract completion date.
 - For ACASS, a final report is due within 120 calendar days from contract completion date for either the design report or the construction report, whichever phase applies.
- For CPARS module, required at:
 - Contract completion (end of period of performance); or
 - Delivery of final end item(s).
 - Not cumulative. The report assesses only performance occurring since last evaluation period.
- For CCASS module, required at:

- Substantial completion of construction project;
 - Termination(s) for default; or
 - When there was an unsatisfactory interim report, the assessing official must note in remarks of final report or amended final report, the following:
 - Circumstances surrounding unsatisfactory performance; and
 - Contractor's corrective action(s) taken or, if not corrected, document the contractor's failure to correct unsatisfactory performance.
 - Note: this is critical to ensure that a thorough history of contractor past performance is captured and maintained.
 - Final report replaces prior interim report. All information from the prior report is deleted from the module. Be sure to include any information from previous report that is necessary to support the evaluation.
- For ACASS module, required at:
- There are two final reports required:
 - For design services at final acceptance of design work or after construction bid opening.
 - For construction, a separate report is to be completed after substantial completion of construction project
 - Termination(s) for default; or
 - When there was an unsatisfactory interim report, the assessing official must note in remarks of final report or amended final report, the following:
 - Circumstances surrounding unsatisfactory performance; and
 - Contractor's corrective action(s) taken or, if not corrected, document the contractor's failure to correct unsatisfactory performance.
 - Note: this is critical to ensure that a thorough history of contractor past performance is captured and maintained.
 - Final report replaces prior interim report. All information from the prior report is deleted from the module. Be sure to include any information from previous report that is necessary to support the evaluation.
 -
- **Addendum Report**
- For CPARS Module:
 - May be prepared at the Government's discretion after the final report, to record the contractor's performance relative to:
 - Contract closeout;
 - Warranty performance; and/or
 - Other administrative requirements.
 - For CCASS and ACASS modules, an amended report is to be completed within 120 calendar days from the date the amended report is started.

- For CCASS module:
 - Change to a completed final evaluation; or
 - Replaces prior final evaluation.
- For ACASS module:
 - If amended is required, complete another final evaluation.

H. Records Retention for Contractor Performance Evaluations

Contractor performance evaluations prepared in CPARS should be maintained in electronic form. In CPARS, the evaluation reports are retained for a period of one year after the FINAL CPAR evaluation is completed. For Architect-Engineer and Construction evaluations, these reports are retained for six years. The reports are then placed in an archive table where they can be retrieved if necessary. In PPIRS, CPAR evaluations reports are retained for three years after the contract completion date. Architect-Engineer and Construction evaluations reports are retained for six years. The CPAR report can be not uploaded into the Strategic Integrated Procurement Enterprise System (STRIPES).

I. Narrative Guidelines for Evaluation Report

The quality of the narrative component supporting the past performance information evaluation is critical. The narrative is necessary to establish that the ratings are credible and justifiable. These narratives need not be lengthy, but need to be as clear, comprehensive and concise as possible. A description of the problems or successes experienced and how well the contractor worked with the Government to resolve the problems shall be addressed. This description shall include but is not limited to issues with subcontractors or “partners” in joint venture or teaming arrangements, delivery milestones, etc. The narrative is also useful for future acquisitions; it helps Assessing Officials to establish the relevancy of the work covered to the current requirement. In advance of finalizing a significant negative past performance rating or where the Government may have contributed to, or reflected on the performance outcome, the contracting officer should consult with local counsel as appropriate. For examples of narratives, see Attachment C.

- **Narrative descriptions shall include, as applicable:**
 - Detail of scope.
 - Complexity of contract.
 - Key technologies.
 - Quality of product or service.
 - Schedule.
 - Business relations (e.g. how well the contractor communicates and works the Government and others to perform the contract work).
 - Subcontracting effort.

- Small business utilization.
 - Management of key personnel (e.g. how the key personnel are managing the contract work).
 - Definitions of acronyms and technical terms.
 - Cost control.
 - Summary of award fee earned, if applicable.
 - Other areas necessary to support contractor performance.
- **The narrative should:**
- An appropriate level of documentation that provides evidence and establishes a basis for the rating assigned.
 - Address recent and relevant contractor performance.
 - Collect input from entire program/project team.
 - Provide reader a complete understanding of the contractor's performance.
 - Have a narrative for each rated element.
 - Address:
 - Any explicit details that are unique to the circumstances of the contract;
 - Rating changes from prior reports; and
 - Benefit and/or impact to the Government.
 - Recognize risk inherent in the effort.
 - Recognize the Government's role, if any, in contractor's inability to meet requirements.
 - Where the Government's role may have negatively contributed to, or reflected on the contractor's performance, the contracting officer should consult with local counsel as appropriate prior to submitting an evaluation report.
 - Indicate major and minor strengths and weaknesses.
 - Be consistent with:
 - Program metrics;
 - Ratings (For CPARS evaluation ratings definitions, see Attachment B.); and
 - Contract objectives.
 - Document an explanation of how problems were resolved and the extent to which solutions were effective.
 - Contain objective and subjective statements along with examples of the contractor's impact on improving or hindering government performance.
- **Reporting the award fee earned**
- After the Fee Determination Officer makes a final determination of the award fee earned for the period and provides a written award fee determination to the contracting officer and the contractor, the AOR or the AO, whoever is preparing

the evaluation, shall include a summary of the award fee earned determination in the evaluation for the reporting period, or if sufficient information is not available then the subsequent period or as an out-of-cycle report, in the applicable CPARS module.

- The summary should:
 - Be entered in the narrative section of the applicable module. For example, in the CPARS module, the narrative is Block 18. Enter the summary in the most relevant area, e.g. if the award fee earned was based on cost, then enter the summary under the “Cost Control”; if the award fee earned was based in more than one area, then enter the summary under “Other Areas.” If there is an award fee earned for an A&E or construction contract, then enter the summary in the ACASS or CCASS narrative section for that module.
 - Specify whether or not the contractor earned the award fee.
 - State the award-fee adjectival rating (See FAR 16.401, Table 16-1 for the rating.)
 - Describe the basis for the determination (See FAR 16.401, Table 16-1 for descriptions) using information specific to the contractor’s performance.
- **Statements to avoid in a narrative are as follows:** (*Attachment A provides more information.*)
 - Outside contract scope
 - In our opinion
 - It appeared
 - We believe
 - We hope
 - We were not happy
 - We did not like
 - We think

J. CPAR quality checklist

This checklist will guide an evaluator in creating a quality CPAR (report) which allows a reader, with no personal knowledge of the procurement, to gain a complete understanding of the Contractor’s performance. If the evaluator takes the time to prepare an accurate and complete report, the evaluator helps ensure better quality in the products and services DOE buys now and those DOE plans to buy in the future. Attachment A is the CPAR quality checklist.

K. System reminder emails

To facilitate the reporting process, CPARS provides a variety of system reminder e-mail for the Government and the contractor. Refer to the applicable DOD CPARS/ACASS/CCASS user manual for a complete list of e-mail notifications available. Some system reminders are listed below:

➤ **System Reminders**

- Evaluation due (AOR, AO, Focal Point)
 - 30 calendar days before the evaluation is due.
 - Helps to ensure that reports are completed in timely manner.
- Evaluation overdue (Assessing Official, Focal Point)
- Contractor comments due (Assessing Official, Contractor)
- Contractor comments overdue/review period expired (Assessing Official)
- Evaluation complete (Contractor/Vendor)
- Access assignment (All Roles)

L. CPARS Training, Continuous Learning Points, and User Manuals

➤ **CPARS Training**

The AO (contract specialist or contracting officer) is responsible for ensuring that the contracting officer's representative (COR or as the AOR) and the contractor are knowledgeable about the CPARS and the on-line training that is available to them. Training for both the Government and contractors is offered monthly via webcast and the calendar can be found on the CPARS web site. The following classes are highly recommended to all DOE employees who are responsible at any stage of past performance evaluations:

- CPARS Overview
- ACASS/CCASS Overview
- Quality and Narrative Writing
- Focal Point Functions

For contractors to become familiar with CPARS, the following class is highly recommended:

- Contractor Overview

➤ **Continuous Learning Points (CLPs)**

The DOE Acquisition Career Manager (ACM) has approved Continuous Learning Points (CLPs) for CPARS web based training classes. See attachment D for list of classes. CLPs earned are as follows: 1 CLP for one hour class and 2 CLPs for two hour class.

Anyone who has taken a CPARS web based training class within their most recent 2 year recertification period may request CLPs. To receive credit the employee will need to add this training to their individual development plan and have the local Site Acquisition Career Manager or the supervisor approve the CLPs.

➤ **User Manuals**

In addition to the training mentioned above, the CPARS website provides access to the current applicable user manual for each module. In the event, there is an inconsistency between this Acquisition Guide Chapter and any of the DOD's user manuals, the Acquisition Guide Chapter applies. If you need help, contact the appropriate point of contact in Section V.

Section III. Internal Management Controls -- Compliance Assessments of Contractor Performance Information

Each contracting activity shall establish a process for conducting regular compliance assessments to include assigning a primary point of contact responsible for the compliance assessments. Part of the compliance assessment shall be to review the process and review the performance metrics used to measure compliance and quality on a regular basis. The objective is to achieve 100% quality CPARS submission and completion of all applicable contract/orders of contractor performance information.

Process Reviews

The regular compliance assessments of contractor performance information are comprised of several process reviews. These reviews are (1) the Balanced Scorecard (BSC), (2) self- assessment and (3) CPARS data quality reviews.

➤ **BSC and Self-assessment**

The Balanced Scorecard/Procurement Management Review (BSC/PMR) self assessment checklist shall be performed and submitted on a yearly basis. The purpose of the BSC/PMR self assessment checklist is to ensure proper monitoring of whether the CPARS objectives are being met, and the extent to which the planned actions to achieve them are working. The BSC/PMR checklist contains specific criteria to assess the use of contractor performance information for pre-solicitation, source selection and contractor performance.

➤ **CPARS Data Quality Reviews**

The CPARS data quality reviews shall be performed and submitted on a quarterly basis. The CPARS data quality reviews are part of the DOE Data Quality Reviews. The CPARS data quality reviews shall regularly measure the contractor performance information for compliance and quality. Each contracting activity shall review the activity's performance metrics to evaluate and validate the quality and timeliness of contractor performance evaluations. This review shall include the contracting activity's corrective action plan to address any unregistered contracts/orders/agreements, overdue evaluations and incomplete evaluations. The Contract

Administration Division (MA-622) site assigned procurement analysts will provide oversight to ensure compliance with CPARS reporting requirements.

➤ **Procurement Management Reviews**

The DOE Procurement Management Reviews (PMRs) will validate site compliance with the requirement for submitting past performance data into CPARS. Prior to performing a site PMR, the PMR team will request that Office of Management Systems (MA-623) examine the FPDS-NG database to determine what contract actions require CPARS data submittals. MA-623 will perform a CPARS data run, on those contract actions identified by the FPDS-NG search. If CPARS reports were required but not performed, the PMR team will identify those contract actions to the site being reviewed to determine why the reports were not completed. The field sites will be required to perform corrective action to comply with CPARS reporting requirements. Additionally, the PMR team will examine the timeliness, accuracy, and quality of the CPARS submittals.

➤ **General guidance in preparing the CPARS data quality review**

There are two parts to the review and reporting required by the contracting activity. The ***Summary CPARS Review and Report*** is based on CPARS report capabilities generated by the local contracting activity. The other is the ***Individual Contractor Performance Evaluation Review and Report*** of the applicable procurement actions that require performance evaluations.

To ensure compliance, review those actions based on the applicable dollar thresholds for supplies/services, construction, and architect-engineer services, exclude AbilityOne actions.

Use FPDS-NG and CPARS data for the review. CPARS data includes ACASS and CCASS.

Since the reporting frequency requires evaluating no more than 12 months of actual contractor performance, the quarterly review shall include all the applicable evaluation reports

that require some action during the preceding quarter. Also, the quarterly review shall include a follow-up on the status of any corrective action plan from the previous report.

➤ **Questions to be answered and summarized in a narrative and a spreadsheet for the review are the following:**

- How many contracts, order, and agreements does the contracting activity have in FPDS-NG that requires a contractor performance evaluation report? Of these actions, how many require a Small Business Subcontracting Plan (clause 52.219-9)?
- Of these contracts, orders, and agreements, how many are registered in CPARS?
- What are the ratings of these evaluations, e.g. exceptional, very good, satisfactory, marginal, and unsatisfactory?
- What is the corrective action plan for the following:
 - Unregistered contracts, orders, and agreements
 - Overdue evaluation reports
 - Incomplete evaluation reports

IV. Best Practices

A. General

- Past performance information is “For Official Use Only” and “Source Selection Information” and should be so marked.
- The narrative is the most critical aspect of past performance information evaluations.

B. Solicitation and source selection

- See the Acquisition Guide Chapter 15.1, Source Selection Guide, for its discussion and guidance on source selection.
- See the Acquisition Guide Chapter 15.3, Establishing Evaluation Criteria, for its discussion and guidance in the development of evaluation criteria for source selection.

C. Contract performance

- If the AOR communicates with the contractor throughout the performance period, the evaluation should be easier to write. Then, the AOR can create a working evaluation

draft off-line by documenting the important significant metrics and/or events and cut and paste this documentation into CPARS for the evaluation period.

- Include performance expectations in the Government's and contractor's initial post award meeting.
- Performance evaluations are the responsibility of the program/project/contracting team, considering the customer's input. Feedback to contractors regarding ongoing performance issues should be developed through discussions with reviews occurring on a regular basis and transmitted through CPARS. The Reviewing Official resolves disagreements in the evaluation report between the contractor and the Government. The Assessing Official (contracting officer or contract specialist) finalizes the evaluation.
- See Acquisition Guide Chapter 70.9, Contract Options: Evaluating Contractor Past Performance, for model guidelines to use in assessing a contractor's past performance for the purpose of making decisions regarding the exercising of contract options.
- Contracting activities should not downgrade a contractor for filing protests or claims or not agreeing to use alternative dispute resolution (ADR) techniques. Conversely, contracting activities should not rate a contractor positively for not having filed protests or not having made claims or agreeing to use ADR techniques. However, the quality of a contractor's performance that gave rise to the protest or claim may be considered. In other words, while performance must be considered, a contractor exercising its rights may not.

D. Advise the contractor:

- To take the CPARS Contractor Overview training
- That past performance information is handled with the same procedures as if it were "source selection information" in PPIRS.
- To acknowledge receipt of the Government's request to the contractor to provide comments on an evaluation and to respond to this request within 30 calendar days

V. Points of Contact

- Questions regarding past performance policy issues may be directed to the Office of Procurement and Management Assistance Policy, MA-611, at (202) 287-1330.

- Questions on how to use the CPARS system and the CPARS Data Quality Review may be directed to the Agency Coordinator, Office of Management Systems, MA-623, at 202-287-1365.
- Questions on internal management controls and compliance assessments may be directed to Office of Contract Administration, MA-622, site assigned procurement analyst at (202)287-1365.
- Questions regarding the use of past performance information for source selection may be directed to the Office of Acquisition Planning and Liaison Division, MA-621, at 202-287-1364.